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Filing date: **06/26/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91197507
Party	Defendant Franads LLC
Correspondence Address	STEPHEN G LEVY LEVY AND LEVY PC 315 MADISON AVENUE, SUITE 901 NEW YORK, NY 10017 UNITED STATES levylevylaw@aol.com
Submission	Other Motions/Papers
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Date	06/26/2012
Attachments	Franads_Motion.pdf (2 pages)(210211 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of: 77721117
Date of filing: April 23, 2009
Mark: FRANHEALTH and Design
Date of Publication: May 25, 2010

BLUE CROSS AND BLUE SHIELD)	
ASSOCIATION,)	
)	
Opposer,)	
)	Opposition No. 91197507
v.)	
)	
FRANADS LLC,)	
)	
Applicant.)	
)	

APPLICANT'S MOTION ON CONSENT TO REQUEST AMENDMENT OF APPLICATION

Pursuant to Trademark Rule 2.133 (37 C.F.R. § 2.133), Franads LLC, Applicant herein, through its authorized attorney requests that Application Serial No. 77721117 for the mark FRANHEALTH and Design be amended. Applicant requests that the original description of the mark and colors claimed statement in Application Serial No. 77721117 be deleted in its entirety and the following description of the mark and colors claimed statement be substituted therefor:

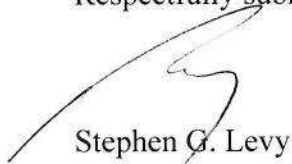
The mark consists of word "FRAN" in upper-case letters, followed by the word "Health" with upper-case "H" and lower-case "ealth". A cross is running through the letter "N". The mark is not and will not contain or be used in the color blue (or any colorable imitation thereof).

Applicant has requested and has received the consent to this request for amendment of application from Opposer's counsel, Garner K. Weng, Esq. of Hanson Bridgett LLP. Applicant requests this amendment of application pursuant to a settlement agreement entered into by Applicant and Opposer. Accordingly, Applicant and Opposer request this amendment of

application in accordance with their agreement to resolve this matter amicably and without unnecessary expenditure of the Board's resources.

A copy of this motion on consent is being sent to Opposer's counsel.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stephen G. Levy", is written over the printed name.

Stephen G. Levy

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